

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTOINE DWAYNE ROBINSON,

Petitioner,

v.

DAVID BREWER,

Respondent.

No. 2:22-cv-0934 DB P

ORDER


Petitioner, a federal inmate proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2255.<sup>1</sup> Based on the information provided in the petition, petitioner was sentenced by the U.S. District Court for the Eastern District of Oklahoma. (ECF No. 1 at 1.) Petitioner seeks to challenge this sentence. (Id.) The sentencing court is the only court with jurisdiction over a § 2255 motion. Braden v. 30th Judicial Circuit Court, 410 U.S. 484, 497 (1973); Harrison v. Ollison, 519 F.3d 952, 956 (9th Cir. 2008). Accordingly, this action will be transferred to the court which originally sentenced petitioner.

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<sup>1</sup> Petitioner's application was filed on a form for petition of writ of habeas corpus pursuant to 28 U.S.C. § 2241. However, in the petition, petitioner states that he seeks to challenge a sentence resulting from a federal conviction. As such, this petition properly construed as a petition brought pursuant to 28 U.S.C. § 2255. See Porter v. Adams, 244 F.3d 1006, 1006 (9th Cir. 2001) ("[a] section 2255 motion to the sentencing court is generally the proper vehicle for challenging a conviction").

1 Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that this matter is  
2 transferred to the United States District Court for the Eastern District of Oklahoma.

3 Dated: June 14, 2022

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6 DEBORAH BARNES  
7 UNITED STATES MAGISTRATE JUDGE  
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